

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America and People of the State of California ex rel. California Air Resources Board

**(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)**

DEFENDANTS

Kohler Co.

County of Residence of First Listed Defendant Sheboygan, Wisconsin
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Jonathan S. Martel, Arnold & Porter, 601 Massachusetts Ave. NW, Washington D.C. 20001-3743, 202-942-5470

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|---|--|
| <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff | 3 Federal Question
(U.S. Government Not a Party) |
| 2 U.S. Government Defendant | 4 Diversity
(Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF
Citizen of This State	1	1	Incorporated or Principal Place of Business In This State	4
Citizen of Another State	2	2	Incorporated and Principal Place of Business In Another State	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	625 Drug Related Seizure of Property 21 USC § 881	375 False Claims Act
120 Marine	310 Airplane	365 Personal Injury – Product Liability	690 Other	422 Appeal 28 USC § 158
130 Miller Act	315 Airplane Product Liability	367 Health Care/Pharmaceutical Personal Injury Product Liability	423 Withdrawal 28 USC § 157	376 Qui Tam (31 USC § 3729(a))
140 Negotiable Instrument	320 Assault, Libel & Slander	368 Asbestos Personal Injury Product Liability	LABOR	400 State Reapportionment
150 Recovery of Overpayment Of Veteran's Benefits	330 Federal Employers' Liability	370 Other Fraud	710 Fair Labor Standards Act	410 Antitrust
151 Medicare Act	340 Marine	371 Truth in Lending	720 Labor/Management Relations	430 Banks and Banking
152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability	380 Other Personal Property Damage	740 Railway Labor Act	450 Commerce
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	385 Property Damage Product Liability	751 Family and Medical Leave Act	460 Deportation
160 Stockholders' Suits	355 Motor Vehicle Product Liability	440 Other Civil Rights	790 Other Labor Litigation	470 Racketeer Influenced & Corrupt Organizations
190 Other Contract	360 Other Personal Injury	441 Voting	791 Employee Retirement Income Security Act	480 Consumer Credit
195 Contract Product Liability	362 Personal Injury -Medical Malpractice	442 Employment	PROPERTY RIGHTS	485 Telephone Consumer Protection Act
196 Franchise		443 Housing/ Accommodations	820 Copyrights	490 Cable/Sat TV
REAL PROPERTY		445 Amer. w/Disabilities– Employment	830 Patent	850 Securities/Commodities/ Exchange
210 Land Condemnation		446 Amer. w/Disabilities–Other	835 Patent—Abbreviated New Drug Application	890 Other Statutory Actions
220 Foreclosure		448 Education	840 Trademark	891 Agricultural Acts
230 Rent Lease & Ejectment			SOCIAL SECURITY	893 Environmental Matters
240 Torts to Land			861 HIA (1395ff)	895 Freedom of Information Act
245 Tort Product Liability			862 Black Lung (923)	896 Arbitration
290 All Other Real Property			863 DIWC/DIWW (405(g))	899 Administrative Procedure Act/Review or Appeal of Agency Decision
			864 SSID Title XVI	950 Constitutionality of State Statutes
			865 RSI (405(g))	
			FEDERAL TAX SUITS	
			870 Taxes (U.S. Plaintiff or Defendant)	
			871 IRS–Third Party 26 USC § 7609	

V. ORIGIN (Place an "X" in One Box Only)

- | | | | | | | |
|---|----------------------------|---------------------------------|--------------------------|---|-------------------------------------|--|
| <input checked="" type="checkbox"/> 1 Original Proceeding | 2 Removed from State Court | 3 Remanded from Appellate Court | 4 Reinstated or Reopened | 5 Transferred from Another District (specify) | 6 Multidistrict Litigation–Transfer | 8 Multidistrict Litigation–Direct File |
|---|----------------------------|---------------------------------|--------------------------|---|-------------------------------------|--|

VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. §§ 7522, 7523, 7524, 7547(a), 7547(d)

Brief description of cause:

Clean Air Act suit seeking injunctive relief and civil penalties

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P.

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE

DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

SAN FRANCISCO/OAKLAND

SAN JOSE

EUREKA-MCKINLEYVILLE

DATE 01/30/2020

SIGNATURE OF ATTORNEY OF RECORD